

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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MAILED

MAR 29 2004

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte RICHARD L. PALINKAS

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Application No. 09/407,053

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on March 8, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

According to the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., August 2001, Rev 1, Feb. 2003), the word "Conferees" must appear below the Primary Examiner's signature, followed by the initials of the conferees. The initials may be either typed or printed. **These two appeal conference participants must place their initials next to their name.** This will make the record clear that an appeal conference has been held.

This answer is not in compliance with the above requirement because all of the conferees have not signed/initialed next to their respective typed names.

Accordingly, it is

ORDERED that the application is returned to the examiner

(a) for the examiner to have all of the conferees appropriately sign/initial the Examiner's Answer to indicate that a conference was held, and place corrected answer in the file,

(b) notification and mailing of a copy of the corrected answer to appellants to show that the appeal conference was held, and

(c) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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DMS/vsh  
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